

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, NOVEMBER 8, 1977

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening November 8 A.D., 1977, in  
Regular Session. President John Nuckols in the chair,  
and Charles W. Westerman Clerk, at the desk, present the following  
members \_\_\_\_\_ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,  
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,  
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,  
ABSENT \_\_\_\_\_

COUNCILMAN \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,

The invocation was given by Reverend John Gantt - CROSSROAD -  
(Children's Home)

Received report from the City Controller for the month of \_\_\_\_\_,  
19\_\_\_\_. Motion made and carried that report be made a matter of record and placed  
on file.

The minutes of the last Regular October 25, 1977,  
\_\_\_\_\_, 19\_\_\_\_,  
Special \_\_\_\_\_, 19\_\_\_\_,

Session having been delivered to the Council, were, on motion, approved and  
published.



FORT WAYNE CHILDREN'S HOME    BOX 5038 HAZELWOOD STATION • 2525 LAKE AVENUE, FORT WAYNE, IN 46805 • 219/484-6661

City Council meeting

November 8, 1977

Each of us has come from a busy day. And now we face a busy agenda as we address the concerns of this city.

God, grant us, we pray, special gifts from your spirit to guide us:

- the gift of patience so that we listen before we decide;
- the gift of service so that others are helped by the work done here this evening;
- the gift of caring so that we use all resources to solve problems.

Hear our prayers of thanksgiving, and our petitions for your divine help. Amen.



John M. Gantt



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

October 26, 1977

MADE A MATTER OF RECORD  
DATE 11-8-77 CHARLES W. WESTERMAN, CITY CLERK

To the Common Council  
Gentlemen and Mrs. Schmidt:

Today, October 26, 1977, I have approved the following ordinances passed by Common Council at its regular meeting of October 25, 1977.

(Bill No. S-77-10-01)  
SPECIAL ORDINANCE NO. S-219-77

AN ORDINANCE approving a contract with Business Equipment Company, for Multi-Purpose Stacking chairs and their installation in the New Senior Citizen Center

(Bill No. S-77-10-02)  
SPECIAL ORDINANCE NO. S-220-77

AN ORDINANCE approving a contract with Stookey Cement Contractor for Direct Rehab on property at 3118 Bowser Street in the Oxford Weissner Park Impact Area Urban Homesteading, for Community Development & Planning.

(Bill No. S-77-10-03)  
SPECIAL ORDINANCE NO. S-221-77

AN ORDINANCE approving a contract for the purchase of real estate at 2929 Oliver

(Bill No. S-77-10-04)  
SPECIAL ORDINANCE NO. S-222-77

AN ORDINANCE approving a contract for the purchase of real estate at 939 E. Berry



(Bill No. G-77-10-08)  
GENERAL ORDINANCE NO. G-39-77

AN ORDINANCE amending General Ordinance No. G-27-77 (As Amended)

(Bill No. R-77-10-23)  
RESOLUTION NO. R-56-77

A RESOLUTION authorizing payment to Allen County Motors for repair of  
Board of Public Safety Vehicle

(Bill No. R-77-10-24)  
RESOLUTION NO. R-57-77

A RESOLUTION authorizing payment to Jim Kelley Buick to clear 1975 invoices  
for repair of damages to City Vehicle #281

(Bill No. R-77-10-25)  
RESOLUTION NO. R-58-77

A RESOLUTION authorizing payment for repair parts and equipment for the  
Traffic Engineering Department

(Bill No. R-77-10-26)  
RESOLUTION NO. R-59-77

A RESOLUTION authorizing payment to Allen County Motors for repair of  
Board of Public Safety Vehicle

(Bill No. G-77-06-39)  
GENERAL ORDINANCE NO. G-40-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation  
of a certain alley

(Bill No. S-77-10-13)  
SPECIAL ORDINANCE NO. S-223-77

AN ORDINANCE approving a contract with Hipskind Asphalt Corporation for  
Resolution No. 5761-1977

(Bill No. S-77-10-14)  
SPECIAL ORDINANCE NO. S-224-77

AN ORDINANCE approving a contract with Allen County Motors for two Pick-Up  
Trucks for Water Pollution Control Maintenance Department

(Bill No. S-77-10-15)  
SPECIAL ORDINANCE NO. S-225-77

AN ORDINANCE approving Change Orders No. 15 and 16 in connection with  
Water Pollution Control Plant Additions

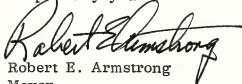
(Bill No. S-77-10-16)  
SPECIAL ORDINANCE NO. S-226-77

AN ORDINANCE approving a contract with Varian Instrument Division for materials  
for Water Pollution Control Plant - Lab.

(Bill No. S-77-10-17)  
SPECIAL ORDINANCE NO. S-227-77

AN ORDINANCE approving a contract with MacDonald Machinery Co., Inc. for  
materials for Water Maintenance & Service Department

Respectfully yours,

  
Robert E. Armstrong  
Mayor



## THE CITY OF FORT WAYNE

October 26, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946).

The proposed ordinance is designated as:

Bill No. Z-77-08-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
26th day of October, 1977.

---

Joseph N. Adair  
Secretary

DATE 11-8-77 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

October 26, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-77-08-15
2. From "R1" to "M1"
3. Intended use: Construction of a new building to be used for a display room for tools and machinery.
4. Plan Commission Recommendation: PERFECT TO A "B1B" and DO PASS

This ordinance received a PERFECT AND DO PASS recommendation for the following reason:

- a. Petitioners originally requested an "M1" District. The Commission felt that a display room for tools and machinery, and the assembling of machinery for display, would not be a detriment to the area. However, warehousing would require an industrial zoning, whereby the petitioners agreed to provide warehousing for their machinery at a different location.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary F. Baeten (pr)*  
Gary F. Baeten  
Land Use Administrator

GFB:Pr  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

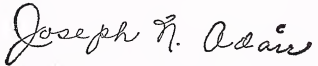
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance BE PERFECTED TO A "B1B" and DO PASS, for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1977.

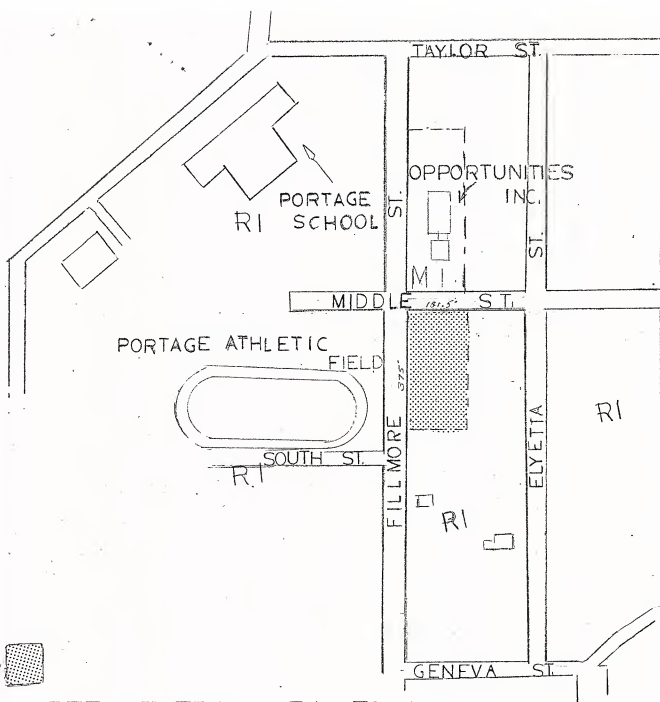
Certified and signed this  
26th day of October, 1977.



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Joseph N. Adair  
Secretary







## THE CITY OF FORT WAYNE

October 26, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and MRs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-09-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
26th day of October, 1977.

\_\_\_\_\_  
Joseph N. Adair  
Secretary

DATE 11-8-77 MADE A MATTER OF RECORD  
\_\_\_\_\_  
CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

October 26, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-77-09-23
2. From "R3" to "B1A"
3. Intended Use: Beauty Shop
4. Plan Commission Recommendation: NO RECOMMENDATION.

The Site Committee gave a recommendation of DO PASS for the following reason:

- a. That this request will have no adverse effect on the neighborhood.

There were six (6) Commission Members present. The vote was four (4) against the rezoning and two (2) for the rezoning. Motion was lost for a lack of a MAJORITY VOTE. Thereby, the Commission is forwarding this ordinance to Council with NO RECOMMENDATION.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary F. Baeten*  
Gary F. Baeten  
Land Use Administrator

GFB:Pr



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 27, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-09-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 17, 1977;

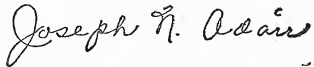
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be returned to the Common Council with NO RECOMMENDATION.

There were six (6) Commission Members present. The vote was four (4) for the rezoning and two(2) against the rezoning. Motion was lost for a lack of a MAJORITY VOTE. Thereby, the Commission is forwarding this ordinance to the Council with NO RECOMMENDATION.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

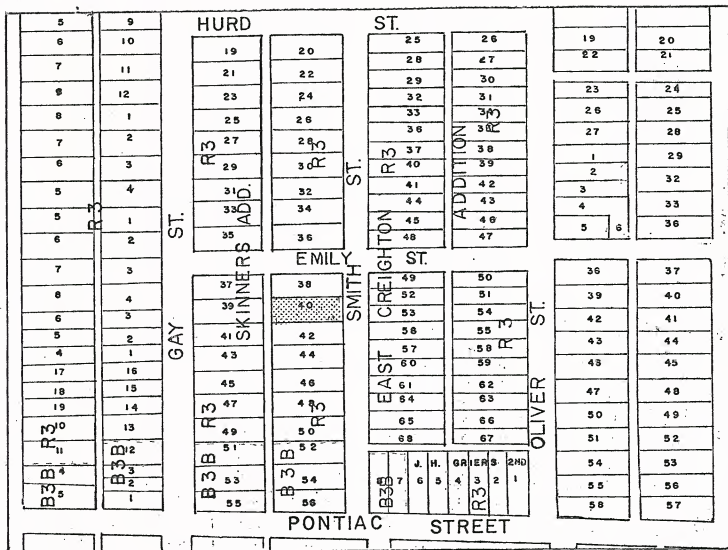
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1977.

Certified and signed this  
26th day of October, 1977.



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Joseph N. Adair  
Secretary



REZONE FROM R3 TO BIA

MAP NO C2

BY M.F.C. 8-26-77



2-77-09-23



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

October 28, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946).

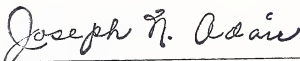
The proposed ordinance is designated as:

Bill No. Z-77-08-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October, 1977.

  
\_\_\_\_\_  
Joseph N. Adair  
Secretary

11-8-77  
MADE A MATTER OF RECORD  
DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

October 28, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-08-31
2. From "R3" to "M1"
3. Intended Use: Expansion of an existing business...tire storage and repair
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The Commission feels that this request represents a logical extension of an existing district.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary Baeten (ps)*

Gary F. Baeten  
Land Use Administrator

GFB:Pr

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

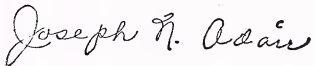
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan:

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

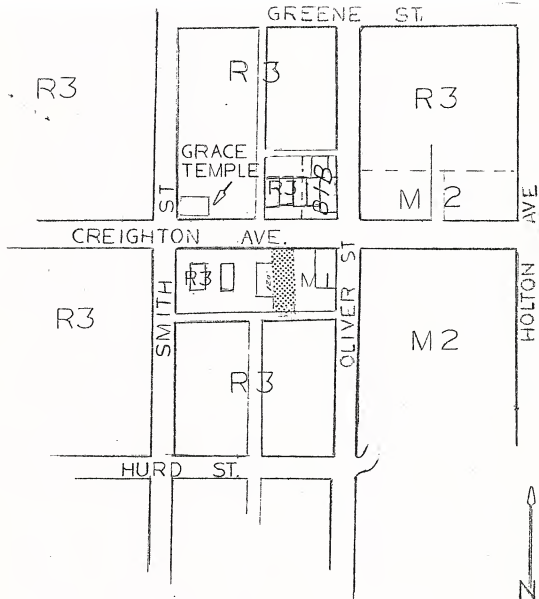
Certified and signed this  
28th day of October, 1977.



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Joseph N. Adair  
Secretary





■ REZONE FROM R3 TO M1

MAP NO C2

2-77-08-31

BY MFC

8-11-77



## THE CITY OF FORT WAYNE

October 28, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-32

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October, 1977.

*Joseph N. Adair*

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Joseph N. Adair  
Secretary

11-8-77  
DATE 11-8-77 MAKE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

October 28, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-08-32
2. From "B1B" to "B3B"
3. Intended Use: Expansion of a body shop/garage
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This rezoning is for the purpose of expanding a legal non-conforming use, which would not be permitted in the existing zoning classification.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten  
Land Use Administrator

GFB:Pr  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

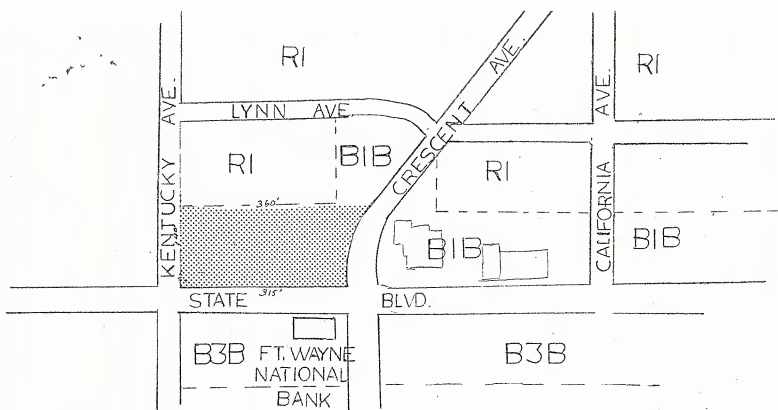
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this  
28th day of October, 1977.

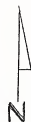
*Joseph N. Adair*

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Joseph N. Adair  
Secretary



REZONE FROM BIB TO B3B  
MAP NO C9



BY MFC

8-6-77

2-17-08-32



## THE CITY OF FORT WAYNE

October 28, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-34

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October, 1977.

  
\_\_\_\_\_  
Joseph N. Adair  
Secretary

DATE 11-8-77 MADE A MATTER OF RECORD  
\_\_\_\_\_  
CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE  
COMMUNITY DEVELOPMENT & PLANNING

October 28, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-77-08-34
2. From "R1" to "R3"
3. Intended Use: Telephone soliciting office
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The alley, located along the west side of the property, serves as an effective buffer between the commercial and residential uses.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary Baeten (pr)*

Gary F. Baeten  
Land Use Administrator

GFB:pr

ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-34; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

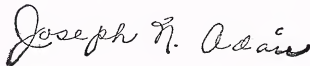
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

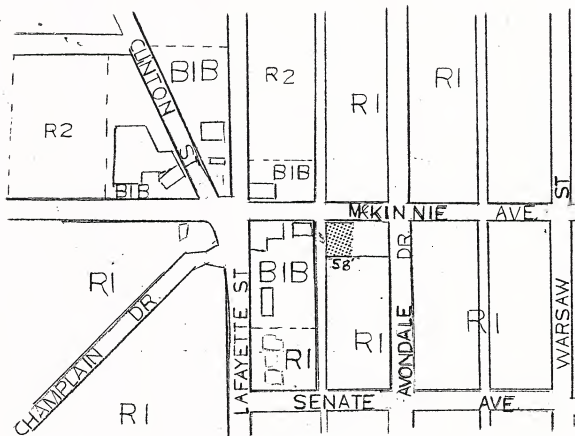
Certified and signed this  
28th day of October, 1977.



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Joseph N. Adair  
Secretary





REZONE FROM R1 TO R3

MAP NO. B6



BY MFC

8-577

2-77-08-34



## THE CITY OF FORT WAYNE

October 28, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of SPRINGWOOD, SECTION II, Springbrook Road, in its entirety, portion of Applewood Road and portion of Peartree Lane.

The proposed ordinance is designated as:

Bill No. G-77-08-35

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of October, 1977.

\_\_\_\_\_  
Joseph M. Adair  
Secretary

MADE A MATTER OF RECORD  
DATE 11-8-77 CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

October 28, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street vacation acted upon by the City Plan Commission at their regular meeting held October 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-08-35
2. Intended Use: Replatting of subdivision into larger lots.
3. Plan Commission Recommendation: DO PASS

The City Plan Commission approves this vacation of Springwood, Section II, in order to encourage the replatting of this property into new single family lots.

If there are any questions with regard to this ordinance, please feel free to call on us.

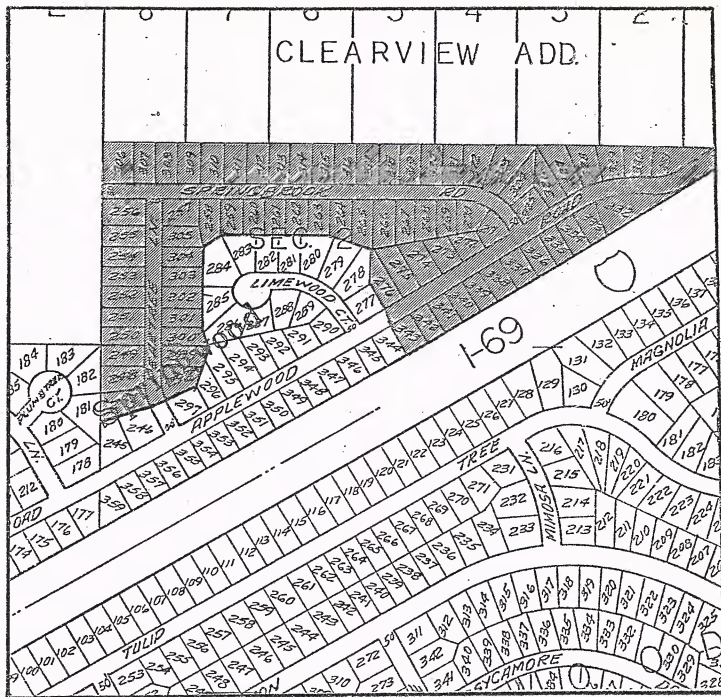
Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten  
Land Use Administrator

GFB:Pr





STREETS TO BE VACATED AND LOTS

9-22-76=

C-21

L.S.

6-77-08-35



PETITION TO VACATE PLATTED LOTS

TO: City Plan Commission, City of Fort Wayne, Indiana  
and Common Council, City of Fort Wayne, Indiana

Gentlemen:

The undersigned, Amos D. Delagrange and National Homes Construction Corporation, do hereby respectfully petition the Plan Commission and Common Council of the City of Fort Wayne to vacate the following platted lots, streets and easements within the City of Fort Wayne, described as follows:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana, also

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana.

Your petitioners represent that:

1. They are the owners of all of said platted lots sought to be vacated.
2. All other persons, firms or corporations interested in or affected by the requested vacation have joined with petitioners in an action to vacate said lots, streets and easements in the Allen Circuit Court under Cause No. CC-76-798, which petition was granted by the Court July 22, 1977.
3. Your petitioners, being the owners of said described lots, wish to replat said lots into Orchard Woods, Section I, in order to increase the size of the lots and make them more readily saleable and more suitable for construction.
4. The vacation of said platted lots, streets and easements, as requested, will affect no one other than your petitioners and those parties having joined your petitioners in the action in the Allen Circuit Court.
5. Your petitioners would finally show that the final plat for Orchard Woods, Section I, has been approved and that implementation of said plat will be advantageous to the growth of the City of Fort Wayne, and the citizens thereof and that it would be in the best interest of said city and the citizens thereof, as well as the petitioners and the abutting owners to vacate said platted lots, streets and easements to enable petitioners to record the plat of Orchard Woods, Section I, and develop same in accordance with that plat.

WHEREFORE, your petitioners pray that the platted lots, streets and easements be vacated according to the provisions of the Indiana Law pertaining thereto.

Amos D. Delagrangé  
(Amos D. Delagrangé)

NATIONAL HOMES CONSTRUCTION CORP.

BY: Edmund J. McNeil

Its Ey. Vice President

R E S O L U T I O N

WHEREAS, AMOS D. DELAGRANGE and NATIONAL HOMES CONSTRUCTION CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described property and streets in Allen County, Indiana, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the Southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana, also,

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS notice of such public hearing will be given by due and proper publication thereof;

WHEREAS, said vacation of easements, streets and lots has been routed thru the following Departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public streets, easements and lots, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED BY the Board of Public Works that the vacation of said easements, streets and lots hereinbefore described, be and the same is approved subject to the following:

- a. Required easement as requested by General Telephone Company

BE IT FURTHER RESOLVED no public utility occupying and using said street, easements and lots or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA }  
COUNTY OF ALLEN } SS:

I, Ethel H. LaMar, <sup>MEMBER</sup> Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on September 14, 1977 and as the same appears of record in the official records of said Board of Public Works.

Dated this 14 DAY OF September, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel H. LaMar  
Ethel H. LaMar, Member

Max G. Scott  
Max G. Scott, Member



## R E S O L U T I O N

WHEREAS, AMOS, D. DELAGRANGE and NATIONAL HOMES CONSTRUCTION CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described property and streets in Allen County, Indiana, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the Southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also,

Lots # 247 thru #276 inclusive and Lots No. 298 thru # 343 inclusive in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also,

All easements in, over or upon Lots # 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 17, 1977, at 7:30 o'clock, p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public streets and property.

WHEREAS, said vacation of portion of subdivision and streets has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets and portion of subdivision, hereinbefore described, conforms to the General policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of subdivision and public streets, hereinbefore described be and the same is hereby approved subject to the following:

- a. Required easement as requested by General Telephone Company

BE IT FURTHER RESOLVED no public utility occupying and using said portion of subdivision, streets or easements, or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forward to the proper governing body having jurisdiction of the vacation portion of subdivision and public streets in Allen County, Indiana.

STATE OF INDIANA    )  
                              ) SS  
COUNTY OF ALLEN    )

I, Joseph N. Adair, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on October 17, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28th DAY OF October, 1977

FORT WAYNE CITY PLAN COMMISSION

*Joseph N. Adair*

Joseph N. Adair  
Secretary



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

November 4, 1977

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a 3 foot easement Located on Lot # 19 Baltes-Fleming Esmonds Addition.

The proposed ordinance is designated as:

Bill No. G-77-07-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
4th day of November, 1977.

\_\_\_\_\_  
Joseph N. Adair  
Secretary

11-5-77  
DATE \_\_\_\_\_ MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

November 4, 1977

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one easement vacation acted upon by the City Plan Commission at their regular meeting held August 22, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-07-13
2. Intended Use: To be utilized by property owner.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. A grant of easement was issued by the petitioner to City Utilities in 1969. This easement is no longer in use by the City, therefore the Plan Commission sees no reason why it should be obtained.

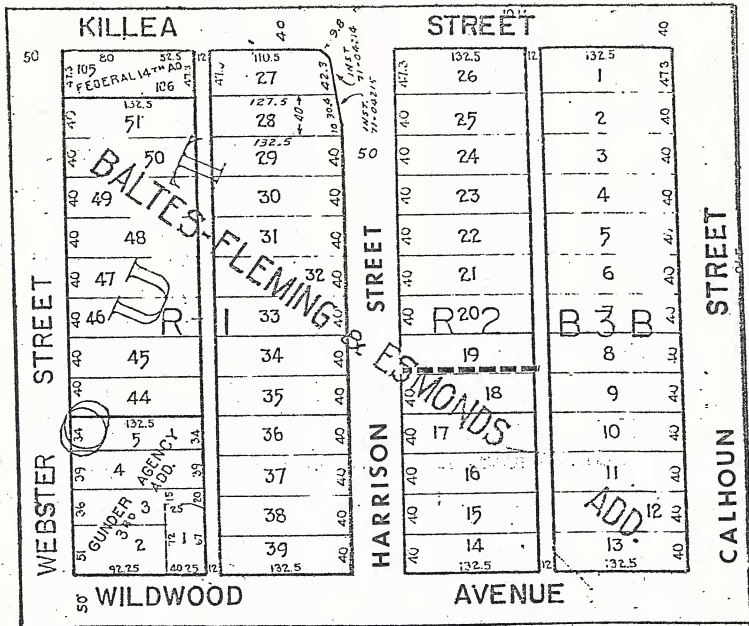
If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten  
Land Use Administrator

GFB:pr



VACATION FOR THREE FOOT EASEMENT

MAP NO. A4

M.F.C.  
6-15-77

A  
N  
D

PETITION TO VACATE DEDICATED UTILITY EASEMENT

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The Undersigned petition(s), does (do) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public dedicated utility easement within the City of Fort Wayne, Indiana, and hereby described as follows:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting - Lot # 19 Baltes Flemming Esmond Addition.

In support thereof, your petitioner(s) would represent as follows:

1. That they are the owners of said real estate (Lot # 19 Baltes Flemming Esmond Addition).
2. That Easement was granted to Electrical Engineering / City Utilities, in 1969 for the installation and maintenance of overhead street lighting wires for the City Utilities and City of Fort Wayne.
3. That all wires and poles for overhead street lighting have now been removed from said easement.
4. That no other person, firm, or corporation is interested in or affected by the requested vacation.
5. That the maintenance of said dedicated utility easement is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would go to the best interest of the City and citizens thereof.

Your petitioners file this petition pursuant to the authority granted in Indiana Code, Section 18,7-5-46, in order to complete the vacation as above described.

WHEREFORE, your petitioner(s) pray that the above described dedicated public utility easement be vacated to the provision of the Indiana Law pertaining thereto.

DATED THIS 20<sup>th</sup> DAY OF June, 1977

M. Miriam Valentine  
M. Miriam Valentine  
3009 South Harrison Street.

*by Plan* 0-11 01/1/77

R E S O L U T I O N

WHEREAS, M. Miriam Valentine, has petitioned  
(petitioners)

and requested the Fort Wayne City Plan Commission to hold a public hearing upon vacation of the following public dedicated utility easement, in Allen County, Indiana, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence, in a southerly direction along the west property line for a distance of three feet and to the point of starting-Lot #19 Baltes Flemming Esmond Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of utility easement has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Public Board of Works that the vacation of said public utility easement, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana. BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA  
COUNTY OF ALLEN

)  
)SS:  
)

I, HENRY P. WEHRENBURG, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on August 1, 1977, and as the same appears of record in the official records of said Board of Public Works.

Dated this 1st day of August,  
1977

" FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenburg  
Chairman

E. W. LaMar  
Member

Member



## R E S O L U T I O N

WHEREAS, M. Miriam Valentine, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, Indiana, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence, in a southerly direction along the west property line for a distance of three feet and to the point of starting - Lot # 19 Baltes Flemming Esmond Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 15th, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public utility easement.

WHEREAS, said vacation of easement has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering and thru the Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of easements in Allen County, Indiana.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, Joseph N. Adair, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correction copy of a resolution adopted by the Fort Wayne City Plan Commission held on August 22, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 4th DAY OF November, 1977.

FORT WAYNE CITY PLAN COMMISSION

*Joseph N. Adair*

\_\_\_\_\_  
Joseph N. Adair  
Secretary

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 62/77/E.

For the purpose of enforcement, please make this communica-  
tion and the attached Regulatory Resolutions a matter of  
record and incorporate them into the minutes of the next  
Common Council Meeting.

Respectfully submitted,

*William L. Kerr, Jr.*  
William L. Kerr  
Acting Chairman  
Board of Public Safety

11-8-77  
DATE 11-8-77 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 62/77 /E

(Adopted October 28 , 19 77)

WHEREAS, Section 17-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8:00 AM TO 6:00 PM (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated October 24 , 19 77 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective October 28 , 19 77 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

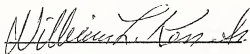
TWO HOUR PARKING 8:00 a.m. to 6:00 p.m. (EMERGENCY)

Maumee Ave. -- south side -- from Edsall Ave. to White Ave.

RETURN CERTIFICATE

(Regulatory Resolution No. 62/77 / E)

I hereby certify that I did this 28 day of October, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 62/77 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as ~~Secretary~~ <sup>ACTING CHAIRMAN</sup> of said Board, in accordance with the provisions of Section 17-4(a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



~~EXECUTIVE SECRETARY~~  
Acting Chairman

MADE A MATTER OF RECORD  
DATE 11-8-97 CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 63/77/E.

For the purpose of enforcement, please make this communica-  
tion and the attached Regulatory Resolutions a matter of  
record and incorporate them into the minutes of the next  
Common Council Meeting.

Respectfully submitted,

*William L. Kerr, Jr.*  
William L. Kerr  
Acting Chairman  
Board of Public Safety

REGULATORY RESOLUTION NO. 63/77 /E

(Adopted October 28, 19 77)

WHEREAS, Section 17-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & extend Regulatory Resolution 47/77/E:

No Parking (EMERGENCY)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated October 25, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective October 28, 19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)

Anthony Blvd. -- east side -- from Glenwood Ave. to Crescent Ave.

RETURN CERTIFICATE

(Regulatory Resolution No. 63/77 /E)

I hereby certify that I did this 28 day of  
October, 19 77 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, The City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana, respectively, a copy of the within  
Regulatory Resolution No. 63/77 /E of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Acting Chairman  
Secretary of said Board, in accordance with the provisions  
of Section <sup>17-4</sup>(a) of Chapter <sup>17</sup>, Municipal Code of the City  
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

William T. Ross

EXECUTIVE SECRETARY  
ACTING CHAIRMAN



11-8-77  
MADE A MATTER OF RECORD  
DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK


President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 64/77/E  
65/77/E  
66/77/D

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

  
William L. Kerr, Sr.  
Acting Chairman  
Board of Public Safety

REGULATORY RESOLUTION NO. 64/77/E

(Adopted November 7, 19 77)

WHEREAS, Section <sup>17-4</sup>(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-  
RENEW & EXTEND REGULATORY RES. 48/77/E & 49/77/E:  
gard to REG. RES. 48/77/E: DELETE: ONE WAY STREET (EMERGENCY)  
NO PARKING (EMERGENCY)  
REG. RES. 49/77/E: DELETE: 90 MINUTE PARKING 8:00 AM-6:00 PM (EMERGENCY)  
DELETE: TWO HOUR PARKING 8:00 AM-6:00 PM, and, (EMERGENCY)

WHEREAS, the City Traffic : Engineer has, by written memorandum dated November 3, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section <sup>17-4</sup>(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective November 7,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

REGULATORY RESOLUTION 48/77/E:  
DELETE: ONE WAY STREET (EMERGENCY)  
College St. -- southbound -- from Berry St. to Washington Blvd.  
NO PARKING (EMERGENCY)  
Berry St. -- north side -- from Maiden Lane to Ewing St.

REGULATORY RESOLUTION 49/77/E:  
DELETE: 90 MINUTE PARKING 8:00 AM - 6:00 PM (EMERGENCY)  
Douglas Ave. -- both sides -- from Webster St. to McClellan St.  
Baker St. -- north side -- from Harrison St. to Webster St.  
DELETE: TWO HOUR PARKING 8:00 AM - 6:00 PM (EMERGENCY)  
Webster St. -- west side -- from Douglas Ave. to Baker St.

REGULATORY RESOLUTION NO. 65/77/E

(Adopted November 7, 1977)

WHEREAS, Section <sup>17-4</sup>(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

---

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated November 4, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section <sup>17-4</sup>(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective November 7 \_\_\_\_\_,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Bevel Ave. -- stop -- for Brown St. .

Bevel Ave. -- stop -- for Eby Ave.

REGULATORY RESOLUTION NO. 66/77/D

(Adopted November 7, 1977)

WHEREAS, Section 17-4(a) (2), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121<sup>14 &</sup> of said chapter as so amended delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED)  
121: NO PARKING 7:00 AM - 4:00 PM SCHOOL DAYS ONLY  
(DELEGATED)  
NO PARKING PASSENGER LOADING ZONE SUNDAYS & HOLIDAYS  
(DELEGATED)

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 7, 1977, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121<sup>14 &</sup> of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective November 7, 1977, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

DELETE:  
PREFERENTIAL INTERSECTION (DELEGATED)

Bevel Ave. -- preferential -- at Brown St.

NO PARKING 7:00 AM-4:00 PM SCHOOL DAYS ONLY (DELEGATED)

Edith St. -- east side -- from West State Blvd. to the first alley south thereof.

NO PARKING PASSENGER LOADING ZONE SUNDAYS & HOLIDAYS (DELEGATED)

St. Marys Ave. -- west side -- from 150 ft. north of High St. to 70 ft. north thereof.

RETURN CERTIFICATE

(Regulatory Resolution No. <sup>64/77/E</sup>  
65/77/E)  
<sup>66/77/D</sup>

I hereby certify that I did this 7th day of  
November, 19 77 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, The City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana, respectively, a copy of the within  
<sup>64/77/E</sup>  
Regulatory Resolution No. 65/77/E of the Board of Public  
<sup>66/77/D</sup>  
Safety of the City of Fort Wayne, duly certified by me as  
Acting Chairman  
~~Secretary~~ of said Board, in accordance with the provisions  
of Section]7-4(a) of Chapter 17. Municipal Code of the City  
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



Acting Chairman

~~EXECUTIVE SECRETARY~~

# STATE OF INDIANA



## INDIANAPOLIS

### INDIANA STATE HIGHWAY COMMISSION

100 North Senate Avenue  
Indianapolis, Indiana 46204

Room 1101, State Office Building  
317-633-5816

October 26, 1977

11-8-77

City Clerk  
City County Building  
Fort Wayne, Indiana 46802

Re: SR 1 & Fernhill Ave.  
City of Ft. Wayne  
Allen County  
Temporary Traffic Signals

Dear Sir:

Attached is a copy of a resolution temporarily installing traffic signals at the above location as approved by the State Highway Commission on October 24, 1977.

Very truly yours,

*Clinton A. Venable*

Clinton A. Venable  
Chief, Division of Traffic

cc: Mayor R. Armstrong  
Clerk of Circuit Court  
State Police  
Fort Wayne District

CAV/md

NOTICE OF OFFICIAL ACTION  
OF  
INDIANA STATE HIGHWAY COMMISSION

259-77

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Traffic signals shall be temporarily installed at the intersection of SR 1 (Northrup Ave.) and Fernhill Avenue, City of Fort Wayne, Allen County,

In the event of need for flashing operation of the signal system, the signals shall flash "AMBER" to SR 1 (Northrup Ave.) and "RED" to Fernhill Avenue.

NOTE: This temporary traffic signal installation shall remain in operation until the detour created by the construction of Coldwater Road is removed. Upon removal of the detour on Coldwater Road, studies shall be conducted to determine if the temporary traffic signal is warranted. If the traffic signal warrants are not fulfilled, the temporary traffic signals shall be removed. All costs associated with the installation, operation, and maintenance of the temporary traffic signal installation shall be borne by the City of Fort Wayne.

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 24<sup>th</sup> DAY OF OCTOBER 19 77

Approved: Clinton R. Wendle Indiana State Highway Commission  
Chief, Division of Traffic

Approved: D. W. Lucas BY: Roger F. Marsh  
Chief of Highway Operations Executive Director

Approved: W. H. Hallorik ATTEST:  
Chief Highway Engineer

J. W. Kuckman  
Secretary to the Commission

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of November, 19 77 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

  
Charles W. Westerman  
City Clerk